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A Limited Liability Partnership
2 Including Professional Corporations
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7 Attorneys for Specially Appearing Third-Party Defendant and Cross-Claim Defendant
IDEAL JACOBS (MALAYSIA) CORPORATION BHD
8 (erroneously sued as IDEAL JACOBS MALAYSIA CORPORATION)

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 SONDRA J. ALLPHIN,

13 Plaintiff,

14 vs.

15 PETER K FITNESS, LLC; PETER T
16 KOFITSAS; FULCO FULFILLMENT,
INC.; and DOES 1-50, inclusive,

17 Defendants.

18
19 PETER K FITNESS, LLC, a New Jersey
Limited Liability Company,

20 Third-Party Plaintiff

21 vs.

22 IDEAL JACOBS CORPORATION, IDEAL
23 JACOBS (XIAMEN) CORPORATION,
ANSWER CONRAD JACOBS, IDEAL
24 JACOBS MALAYSIA CORPORATION

25 Third-Party Defendants.

26
27 FULCO FULFILLMENT, INC.,
28

Case No. CV-13-01338 BLF

**STIPULATION AND [ORDER]
REGARDING JURISDICTIONAL
DISCOVERY PLAN**

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Cross-Claimant,

vs.

PETER K FITNESS, LLC; PETER T.
KOFITSAS; ANDREW CONRAD
JACOBS; IDEAL JACOBS
CORPORATION; IDEAL JACOBS
(XIAMEN) CORPORATION; IDEAL
JACOBS (MALAYSIA) CORPORATION,

Cross-Claim Defendants.

1 WHEREAS, the parties were Ordered by the Court on December 11, 2014 as
2 follows:

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4 Fulco and Peter K. Fitness's requests to engage in jurisdictional discovery
5 are GRANTED. The parties shall meet and confer with IJ Malaysia to
6 outline a jurisdictional discovery plan.³ A stipulation regarding this
7 discovery plan shall be due to the Court no later than December 18, 2014,
8 and the discovery schedule should be expedited in light of the upcoming
9 April 2015 trial in this case.

10
11 Footnote 3 Any and all discovery disputes with regard to jurisdictional
12 discovery should be brought to this Court, and not the referred Magistrate
13 Judge, in the form of a letter brief not to exceed three pages.
14

15 WHEREAS, the parties met and conferred on December 15, 2014. PETER K
16 FITNESS, LLC ("PK Fitness") and FULCO FULFILLMENT, INC. ("Fulco") propounded
17 requests for production and interrogatories on December 16, 2014, and the parties met and
18 conferred again on December 17, 2014. IDEAL JACOBS (MALAYSIA)
19 CORPORATION BHD (erroneously sued as IDEAL JACOBS MALAYSIA
20 CORPORATION) ("Ideal Malaysia") has agreed to respond to the requests for production
21 by December 22, 2014, and the interrogatories by December 23, 2014. Ideal Malaysia has
22 offered to allow the deposition of Ideal Malaysia Executive Director, Finance and Chief
23 Financial Officer Sy Chen. Fulco and PK Fitness have expressed a desire to depose Ben
24 Ming, who Fulco and PK Fitness contend is listed as the Managing Director of Ideal
25 Malaysia on the website and other publications. Ideal Malaysia contends that in fact Ben
26 Ming is not an employee of Ideal Malaysia, and that Mr. Chen is the most senior officer
27 and employee of Ideal Malaysia.
28

1 Fulco and PK Fitness have expressed an intent to take a second deposition of
2 Andrew Jacobs, identified as Chairman of the Board of Ideal Malaysia and serve additional
3 written discovery as well. Ideal Jacobs Corporation ("Ideal Jacobs US") has objected to
4 any further discovery requests or a second deposition of Andrew Jacobs. Fulco and PK
5 Fitness dispute this..

6 The parties intend, consistent with the Court's Order, to attempt to come to
7 agreement on as many issues as possible, and only if necessary, bring the remaining
8 disputes to this Court.

9
10 THE PARTIES HERETO STIPULATE THAT:

11 Ideal Malaysia will provide written responses to the requests for production by
12 December 22, 2014, and to the interrogatories by December 23, 2014, and produce
13 documents by December 29, 2014.

14
15 IT IS SO ORDERED.


16
17 Dated: December __, 2014

The Honorable Beth Labson Freeman

18
19 Dated: December . 2014

20 SHEPPARD. MULLIN. RICHTER & HAMPTON LLP

21
22 Bv




/s/ James E. Curry
JAMES E. CURRY
DYLAN J. PRICE
Attorneys for Third-Party Defendant
and Cross-Claim Defendant
IDEAL JACOBS (MALAYSIA)
CORPORATION BHD (erroneously sued as
IDEAL JACOBS MALAYSIA CORPORATION)

1 Dated: December 18, 2014

2 STONE & ASSOCIATES

3
4 Bv


JULIET MACMILLIN I OMPA
COLLETTE F. STONE
Attorneys for Defendant,
Cross-Claimant, Third Party Plaintiff
PETER K FITNESS, LLC; and Defendant
PETER I KOHITSAS

5
6
7
8 Dated: December , 2014

9 LeClairRyan, LLP

10
11 Bv

/s/ Michael Waughtel
MICHAEL WAUGHTEL
CHARLES HORN
Attorneys for Defendant, Cross-Claim Defendant,
Cross-Claimant
FULCO FULFILLMENT, INC.

12
13
14 Dated: December , 2014

15 ERICKSEN ARBUTHNOT, et al.

16
17 Bv

/s/ Sharon Lynn Hightower
SHARON LYNN HIGHTOWER
Attorneys for Third-Party Defendant
IDEAL JACOBS CORPORATION

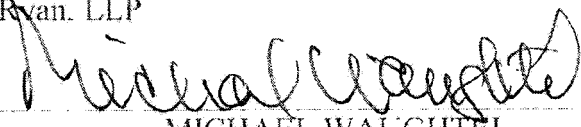
1 Dated: December . 2014

2 STONE & ASSOCIATES

3
4 Bv *es/ Juliet MacMillin Lompa*
5 JULIET MACMILLIN LOMPA
6 COLLETTE F. STONE
7 Attorneys for Defendant.
Cross-Claimant, Third Party Plaintiff
PETER K FITNESS, LLC; and Defendant
PETER T. KOFITSAS

8 Dated: December 18, 2014

9 LeClairRyan, LLP

10
11 Bv 
12 MICHAEL WAUGHTEL
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Attorneys for Defendant, Cross-Claim Defendant,
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FULCO FULFILLMENT, INC.

14 Dated: December . 2014

15 ERICKSEN ARBUTHNOT, et al.

16
17 Bv *es/ Sharon Lynn Hightower*
18 SHARON LYNN HIGHTOWER
19 Attorneys for Third-Party Defendant
20 IDEAL JACOBS CORPORATION
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1 Dated: December . 2014

2 STONE & ASSOCIATES

3 Bv /s/ Juliet MacMillin Lompa
4 JULIET MACMILLIN LOMPA
5 COLLETTE F. STONE
6 Attorneys for Defendant,
7 Cross-Claimant, Third Party Plaintiff
8 PETER K FITNESS, LLC; and Defendant
9 PETER T. KOFITSAS

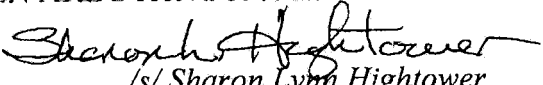
10 Dated: December . 2014

11 LeClairRvan. LLP

12 Bv /s/ Michael Waughtel
13 MICHAEL WAUGHTEL
14 CHARLES HORN
15 Attorneys for Defendant, Cross-Claim Defendant,
16 Cross-Claimant
17 FULCO FULFILLMENT. INC.

18 Dated: December 18. 2014

19 ERICKSEN ARBUTHNOT. et al.

20 Bv 
21 /s/ Sharon Lynn Hightower
22 SHARON LYNN HIGHTOWER
23 Attorneys for Third-Party Defendant
24 IDEAL JACOBS CORPORATION
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